

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DONAVON POLLARD

Plaintiff,

v.

LTS MANAGED TECHNICAL
SERVICES LLC

Defendants.

Case No. 1:23-CV-05940

Hon. Lindsay C. Jenkins

**LTS MANAGED TECHNICAL SERVICES LLC'S PARTIAL
MOTION TO DISMISS COMPLAINT PURSUANT TO F.R.C.P. 12(B)(6)**

LTS Managed Technical Services LLC (“LTS” or “Defendant”), by Carlson Dash, LLC, their attorneys, and pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby moves this Honorable Court to dismiss Count I of Donavon Pollard’s (“Pollard” or “Plaintiff”) Complaint for failure to state a claim upon which relief may be granted, and in support thereof, Defendant states as follows:

1. On August 23, 2023, Pollard filed his Complaint against LTS seeking damages for alleged sexual harassment (Count I), sex-based discrimination (Count II), and retaliation (Count III) pursuant to Title VII of the Civil Rights Act of 1964 as amended (the “Complaint”).

2. Simultaneous with the filing of this Partial Motion to Dismiss, LTS caused its answer and affirmative defenses to Counts II and III of the Complaint.

3. Defendant moves to dismiss Count I of Plaintiff’s Complaint, which is improper and deficient on the grounds that Plaintiff fails to allege a *prima facie* case for sexual harassment.

3. Defendant further elaborates on its Partial Motion to Dismiss in its Memorandum in Support of Defendant’s Partial Motion to Dismiss, which is incorporated herein.

Dated this 21st day of September, 2023.

**LTS MANAGED TECHNICAL
SERVICES LLC**

By: /s/ C. Douglas Moran
One of its Attorneys

C. Douglas Moran ARDC #6310780
James M. Dash ARDC # 6200504
Jonathan S. Safron ARDC #6330377
CARLSON DASH, LLC
216 S. Jefferson St., Suite 303
Chicago, IL 60661
Telephone: (312) 382-1600
Email: cdmoran@carlsondash.com
Email: jdash@carlsondash.com
Email: jsafron@carlsondash.com

CERTIFICATE OF SERVICE

Under penalty of perjury, I, C. Douglas Moran, certify that on **September 21, 2023**, I electronically filed the foregoing document(s) and that they are available for viewing and downloading from the Court's CM/ECF system, and that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ C. Douglas Moran